there, under the common law idea of the unity of husband and wife, they might be regarded as constituting, in a limited sense, a distinct legal person, so that a life estate in the husband and wife would not merge with a remainder in either one alone. *Cf. Den v. Hardenbergh, supra; Town of Corinth v. Emery* (1891) 63 Vt. 505, 22 Atl. 618; *Bomar v. Mullins* (1851, S. C.) 4 Rich. Eq. 80.

INTERNATIONAL LAW—ACT OF STATE—ACTS OF MEXICAN REVOLUTIONARY AUTHORITIES BEFORE RECOGNITION.—General Villa, as a military commander of the Constitutionalist Army of Carranza, who later was recognized by the United States as head of the *de facto* and subsequently of the *de jure* government of Mexico, levied a military contribution on the inhabitants of Torreon, Mexico, a city under the military occupation of his forces. M., one of the citizens, an adherent of Huerta, fled the city, and failed to pay the assessment imposed upon him at a meeting of the inhabitants to carry out Villa's levy. To satisfy this assessment, Villa ordered the seizure of a quantity of hides belonging to M., and sold them in Mexico to an American corporation, by whom they were brought to the United States and sold to the defendant. The plaintiff, an American citizen, was the assignee of M., the original owner, and brought suit in replevin to recover the hides. *Held,* that the action could not be maintained. *Oetjen v. Central Leather Co.* (1918) 38 Sup. Ct. 309.

General Pereyra, as a commanding officer of the Constitutionalist Army of Carranza, requisitioned certain lead bullion from the Penoles Mining Co., a Mexican corporation, giving a receipt therefor with promise to pay "on the triumph of the revolution." General Pereyra sold the bullion to the defendant, R., who sold it to the defendant B., the proceeds being used by the General for the supply of his troops. It appears that some months prior to the requisitioning of the bullion, the Mexican corporation had sold it to the plaintiff, an American corporation, which, on the bullion being brought into the United States, enjoined the Collector of Customs from delivering the bullion to any of the defendants, claiming title to be in the plaintiff. *Held,* that a United States Court could not question the defendants' title acquired in Mexico. *Ricaud et al. v. The American Metal Co. Ltd.* (1918) 38 Sup. Ct. 312.

See COMMENTS, p. 812.

INTERNATIONAL LAW—NATIONALITY—STATELESSNESS.—K., an Austrian subject born in 1860, settled in France in 1885, where he married and had children, who were conceded to be French. He had not obtained from the Austrian authorities any permission to expatriate himself, which according to Austrian law was required in the case of Austrians liable to military service. K. offered no evidence of any release from this Austrian military obligation. In 1890 he returned temporarily to Austria, to be baptized. In 1909 he had, as an Austrian subject, applied for French naturalization, which was refused. In the early part of the present war, he rendered some technical service to the French armies. K.'s property having been sequestrated in France on the ground that he was an enemy (Austrian) alien, he applied for its release from sequestration on the ground that he had lost his Austrian nationality by reason of his long residence in France without intent to return to Austria. *Held,* that the application should be denied on the ground that it had not been proved that by Austrian law the applicant had lost Austrian nationality, or that he had no intent to return to Austria. *Kornfeld v. The Attorney General,* Tribunal Civil de la Seine (1st Chamber), June 20, 1916, reported in (1917) 44 CLUNET, 638.

The applicant in this case, not having acquired French nationality, sought to show that he was in a position of "statelessness" or *Heimatlos.* This condition arises when one loses his original or acquired nationality without obtaining any other. Two such cases have recently come before the British courts, and like

the French court in the instant case, they demanded the most convincing evidence, not only that the petitioner had technically lost his original nationality, but that he was not in a privileged position to reclaim it. In the case of *Ex parte Weber* (C. A.) [1916] 1 K. B. 280; (H. of L.) [1916] 1 A. C. 421, 425, the applicant was born in Germany in 1883, left Germany in 1898 for South America, and since 1901 had lived continuously in England. By the German law of 1870, sec. 21, ten years' uninterrupted residence abroad, and by the law of July 22, 1913, sec. 26, failure to obtain a decision on his liability to military service up to his thirty-first year, effected expatriation. The applicant came within these provisions. He was interned in England, at the age of 32, as an alien enemy, and applied for a writ of habeas corpus, alleging that he had lost German nationality, and as he had not acquired any other, that he was a person without nationality. It was objected by the Court of Appeal and by the House of Lords that while the letter of the law would seem to have expatriated him, he had not shown that he could not be claimed for military service on his return to Germany; and furthermore, by the law of 1913 it appeared that he could reacquire German nationality on privileged terms; hence they concluded that the German tie was not so completely severed that he could be considered as released from German nationality. See also *The King v. Superintendent of Vine Street Police Station* [1916] 1 K. B. 268, 277. In *Simon v. Phillips* (K. B. Div. 1916) 114 L. T. Rep. N. S. 460, Simon was born in Coburg, Germany, in 1869, emigrated to the United States in 1887, obtained a discharge from German nationality in 1891, became naturalized in the United States in 1894, and on the outbreak of the war had been employed for many years in London. There was no evidence that he had ever returned to Germany. In 1915, he was refused registration in the American Consulate on the ground that the presumption of expatriation from the United States under the Act of March 2, 1907, had arisen against him by reason of his long residence in England. He claimed, therefore, to be a person without nationality. It was held that he had not proved that his nationality of origin had not reverted or that he had entirely lost his right to be readmitted thereto. In France, it was recently held that a person claiming to have become expatriated from Germany by ten years' uninterrupted absence, according to the law of 1870, had to meet the burden of proving that he had during the ten year period never set foot in Germany. *Aronsohn v. Attorney General,* Tribunal de la Seine, Nov. 13, 1916, reported in (1917) 44 CLUNET, 645. These decisions would tend to show a decided indisposition to admit a status of "statelessness," at least with respect to the circumstances of these cases, and to show that the rule with respect to nationality of origin is applied analogously to that of domicile of origin. See Field, *Outlines of an International Code* (2d ed.) 130. This principle, however, can hardly be considered a recognized rule of international law. By the United States Act of March 2, 1907, "statelessness" has been made possible by the fact that the presumption of expatriation which arises as a consequence of the residence of a naturalized citizen in his native country for two years or in any other country for five years does not *necessarily* confer his old nationality upon him, as is the case in the municipal law of some countries; and by the provision in section 3 that "any American woman who marries a foreigner shall take the nationality of her husband," apparently disregarding the fact that the law of his country may not confer his nationality upon her, as is the case in Brazil and some other countries.

INTERNATIONAL LAW—PRIZE—NEUTRAL VESSEL CARRYING CONTRABAND.—A neutral (Norwegian) vessel was chartered to German dealers in fish, under circumstances from which the owner may be presumed to have known that his ship was to carry fish from Norway to Germany. The vessel was captured by